# 2006 - 2007
# ANNUAL REPORT

Child & Youth Advocate

Honourable Janis Tarchuk
Minister of Children and Youth Services
Executive Branch
228 Legislature Building
10800 97 Avenue NW
Edmonton, Alberta
T5K 2B6

Dear Minister:

I am pleased to present you with the Annual Report of the Child and Youth Advocate. This Report covers the fiscal year ending March 31, 2007, during which our office was part of the Ministry of Alberta Children's Services.

Yours sincerely,

John Mould
Child and Youth Advocate

Child & Youth Advocate

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## Notes Regarding our Use of Terms in this Report

**The Name of Our Office**

With the coming into force of the *Child, Youth and Family Enhancement Act* in November 2004, the "Children's Advocate" became the "Child and Youth Advocate". We have used Office of the Child and Youth Advocate, and its abbreviation OCYA, throughout.

**References to Aboriginal Young People**

When a discussion applies to a specific group – First Nations, Non-status Indians, Métis, or Inuit young people – we have made that clear. In other instances, we have used the inclusive term "Aboriginal."

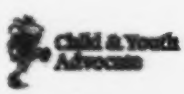
# Message from the Child and Youth Advocate

For the past decade at least, a brokerage model has been the underlying framework for casework practice within the Ministry. This model encouraged rapid assessment of problems reported to the service system, and referral of children and families to contracted (and other) resources in the community if intervention was required.

Following passage of the *Child, Youth and Family Enhancement Act* in 2004, a decision was made to change the practice model to put the differential response of the Alberta Response Model into practice. The Casework Practice Model would emphasize information gathering about and relationship building with families as core components to the process of decision making and assessment about whether child intervention services were warranted. If services were to be provided, then the model would also encourage involvement of family members as fully as possible in deciding what those services would be. While referral to community resources would still be a response to a family's need for help, the family would be part of this decision, would know what the community resource was intending to help with and the expected outcomes of the help. Throughout the time a file remains open, these characteristics of openness, collaboration and ongoing assessment and analysis are intended to underpin the activities of the caseworker and the ongoing interaction between the caseworker and the family members whenever possible.

The model was developed after research of existing assessment models and a comprehensive consultation with frontline staff in 2005-06. The model development also benefited from work done in four Child and Family Services Authorities (CFSAs) to test a new assessment framework. Limited implementation of the model in selected offices of each of the CFSAs and three Delegated First Nation Agencies (DFNAs) will occur in 2007-2008.

This initiative has the potential to change and enhance the Ministry's services to children and families in a significant way. To some extent, the model returns the service delivery system to a more classical method of child welfare service provision, but with enhancements based on current best practices. It is a change that is welcomed by the Office of the Child and Youth Advocate.



# Resources

## Organizational Development

During 2006-2007 there were four key changes in the organizational structure of the OCYA.

- As noted in the 2005-2006 Annual Report, the OCYA undertook development of the Legal Representation for Children and Youth (LRCY) service. In 2006-2007, the majority of the LRCY project positions were eliminated and permanent positions established to support the delivery of services and provide the necessary infrastructure for the office.
- The Community Advocacy Initiative wound down in 2006-07 and two positions were reallocated to Individual and Systemic Advocacy.
- A position was developed to provide management direction and quality assurance in the delivery of individual and systemic child and youth advocacy. The Manager, Advocacy Services, manages a comprehensive framework to ensure accountability and continuous improvement in advocacy services and functions as a departmental specialist for the Ministry and stakeholders in providing key advice and current information on child and youth advocacy and input on policy-making.
- A project to develop self-directed advocacy management teams was established.

## Information Systems

A comprehensive business case for the development of a fully functional information system to support the LRCY service was submitted to the Ministry of Children's Services in September 2006.

## Budget

Expenditures for 2006-2007 were $5,781,000. This includes an estimate of unbilled costs accrued for legal services provided in the fiscal year.

During the year a forecasting model was developed to estimate the costs of legal services provided to children and youth.

## Legal Representation for Children

| | |
|---|---|
| Legal Appointments made in 2006-07 | 1,120 |
| Roster Lawyers available to provide services (as of March 31, 2007) | 77 |

# Individual Advocacy

## Children Served

Children served in 2006-2007

| | |
|---|---|
| Active as of April 1, 2006 | 619 |
| New children in 2006-2007 | 3349 |
| Total children served in 2006-2007 | 3968 |
| Active as of April 1, 2007 | 768 |

Comparison with children served in previous years

| | |
|---|---|
| Total children served in 2004-2005 | 3735 |
| Total children served in 2005-2006 | 3709 |
| Total children served in 2006-2007 | 3968 |

Referral Source

| | |
|---|---|
| Self-referral | 710 |
| Third Party | 2075 |
| Mandatory | 1042 |
| Own Motion* | 91 |
| Anonymous | 50 |
| **Total** | **3968** |

## Demographics

Racial Origin

| | |
|---|---|
| Caucasian | 1637 |
| Aboriginal | 1812 |
| Unknown | 297 |
| Mixed Race | 119 |
| Asian | 34 |
| Black | 54 |
| East Indian | 15 |
| **Total** | **3968** |

Ages of Children Served

| | |
|---|---|
| 0-5 years | 809 |
| 6-11 years | 1078 |
| 12-17 years | 1760 |
| 18-21 years | 304 |
| Over 21 years | 8 |
| Unknown | 9 |
| **Total** | **3968** |

** "Own Motion" referrals are those initiated by the Office of the Child and Youth Advocate.*

# Educational Completion:
## An Essential Goal for Children and Youth in Care

Ironically, one of the consequences of Alberta's booming economy is that it contributes to lower high school completion rates. The oil boom is putting money into people's pockets to such an extent that it is luring youth out of the school environment and contributing to Alberta's having one of the lowest graduation rates in Canada. Only 67.9% of young Albertans graduated in 2005-06 – somewhat better than the 63.6% in 1999-2000 but lower than the national rate of 72.1%.[1] Availability of high-paying jobs is one factor influencing the low high school completion rate but it is by no means the only factor. The Office of the Child and Youth Advocate (OCYA) is particularly interested in how educational completion is affected by being in the care of the Ministry of Children's Services.

Considerable evidence from across North America and Europe indicates children and youth in care do not experience the same success in school as their peers. Children and youth in care are more likely to perform below grade level and to fall behind their peers as they get older. They are over-represented in special education and vocational classes and are more likely to be identified as having behavioural disorders, severe learning disabilities or mild intellectual disabilities. They are more likely to be suspended or expelled from school and are less likely to complete high school. While we were unable to find data specific to the school experience of Alberta children and youth in care, it is safe to suggest their experiences mirror those reported for children and youth in other jurisdictions.

*"Considerable evidence from across North America and Europe indicates children and youth in care do not experience the same success in school as their peers."*

The OCYA believes many youth in care leave high school or take longer to complete high school because they lack the necessary personal supports. Children and youth require an environment where they can be curious and where they can question and challenge life's contradictions and conflicts. Young people learn to cope, to deal with issues and to externalize in the family, in the peer environment and, hopefully, in the school environment.

(1) Blouin, Patric. Summary Public School Indicators for the Provinces and Territories, 1999/2000 to 2005/2006. Available at the Statistics Canada website http://www.statscan.ca as Statistics Canada Catalogue no. 81-595-M No. 067. Retrieved August 29, 2008.

When children and youth in care experience multiple moves, multiple school changes, and a constantly changing peer group, they lack the consistency and continuity of environment that enables normal development. In these circumstances, children and youth do not experience educational success and their motivation to continue in school diminishes as they grow older.

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There is a perception in the larger population that dropping out of high school is a choice youth consciously make. In many cases, it is not a conscious decision; a response to mainstream attitude ("You could do better if you wanted to...") and a lack of meaningful support guide youth to drop out of school.

Children and youth are taken into care to help them overcome obstacles and hurdles in their family life and to help them develop into capable, independent adults but the service system has not always been successful in providing the stability and the emotional supports required by youth to experience school success. The basic difference between being in the care of one's family and being in the care of the government is the level of support provided. The experience of growing up involves being encouraged to learn and to take chances, with the support of knowing there is an environment that will have your back when things go wrong. The child welfare system helps children and youth with the obstacles faced in the home environment but, for many youth, it misses a key element of the maturation process that builds independence – support.

The government has assumed responsibility for raising the children and youth in its care to become independent adults and a significant element of that rearing process is educational attainment. Our concern is that not enough children and youth in care are completing high school and, as a result, are missing one of the significant factors related to successful transition to adulthood. This 2006-2007 report focuses on the topic of high school completion and makes recommendations about what can be done to increase high school completion rates for children and youth in care.

*Our concern is that not enough children and youth in care are completing high school and, as a result, are missing one of the significant factors related to successful transition to adulthood.*

## Education and Well-being

Well-being is a quality of life issue that incorporates the "degree to which a person enjoys the important possibilities of his or her life."[2] Possibilities result from the opportunities and limitations each person has in his or her life; level of education, quite often, has a direct correlation to opportunities and limitations. Education can afford opportunities that, frequently, are not available to those who do not complete high school. Without education, social determinants of well-being, such as adequate income, a safe environment, secure housing, social supports and meaningful roles in society, become more difficult to attain.

An individual's education level impacts job opportunities and income, which, in turn, impact housing options and security. "Well-educated people are more likely to work full time, have higher incomes and be in more satisfying jobs. Better-educated people are less likely to experience financial hardship or to be unemployed."[3]

*"Educational attainment is a prime predicator of subsequent adult well-being or quality of life. Like any parent, the child welfare system has a responsibility...to facilitate and enhance the educational success of children and youth in care."*

To give a quantified sense of the significance of educational attainment to overall well-being in a Canadian context, a federal summary[4] notes that high school graduates in the general population have:

- 26% better family functioning than nongraduates
- 23% better knowledge of health behaviours than nongraduates
- 13% better health status than nongraduates.

The document further states that 36% of those who do not complete high school receive income assistance, compared to 6.7% of those who graduate, and that nongraduates make up 74% of the prison population.

Educational attainment is a prime predicator of subsequent adult well-being or quality of life. Like any parent, the child welfare system has a responsibility to do the best for the children and youth in its care and to provide the supports and environment required for children and youth to develop to their fullest capacity. A key aspect of that responsibility is to facilitate and enhance the educational success of children and youth in care.

(2) Quality of Life Conceptualization. Available on the Quality of Life pages of the University of Toronto website at http://www.utoronto.ca/qol. Retrieved August 29, 2008.

(3) Low, M., Low, B., Baumler, E., and Huynh, P. Can Education Policy Be Health Policy? Implications of Research on the Social Determinants of Health, *Journal of Health Politics, Policy, and Law*, Vol. 30, No. 6, December 2005.

(4) The Social Determinants of Health: Education as a Determinant of Health. Available on the Public Health Agency of Canada website at http:www.publichealth.gc.ca. Retrieved September 12, 2008. This summary was based primarily on presentations given by Charles Ungerleider and Daniel Keating at "The Social Determinants of Health across the Life-Span Conference" held in Toronto in November 2002.

## Educational Attainment and Children in Care

A significant number of studies have examined some aspect of educational attainment as it relates to children and youth in care. As a body of work, these studies often lack scientific rigour and/or have significant methodological shortcomings; the result is that they are limited in their usefulness in explaining the "why" of their results. Despite this limitation, they paint a very clear and dismal picture of the educational attainment of children and youth in care.

## Academic Performance

A study prepared by the British Columbia Office for Children and Youth[5] compared the academic performance of children and youth in care with children and youth who were not in care. The focus of this study was writing, reading and numeric abilities. Findings indicated that academic performance of children and youth in care is lower than academic performance of their peers in the general population. The study reported that approximately half of youth in care in Grade 10 and Grade 12 performed behind a grade, as compared to 22.3% and 34.5%, respectively, in the general population.

At grades 4, 7 and 10, children and youth in care lagged in reading, writing and numeracy on achievement tests. A large percentage of children and youth in care performed below academic standards: 40.8% in reading, 40.2% in writing, 49.7% in numeracy. Comparative scores for the general population were 19.1%, 19.2% and 20.0%, respectively. By Grade 10, almost one in four youths in care was in alternate programs,[6] as compared to 4.1% in the general population.

(5) Mitic, W. and Rimer, M. The Educational Attainment of Children in Care in British Columbia. *Child and Youth Care Forum*, Vol. 31, No. 6, December 2002.

(6) Here the word 'alternate' is used to refer to programs or schools for students with special behavioural and/or learning needs that cannot be accommodated in the regular classroom.

## Grade Level Attainment

A study to assess the educational experiences of youth in foster care in Illinois[7] presented these findings.

- Almost 50% of Grade 3 to Grade 8 students in care scored in the bottom quartile on the reading section of the Iowa Tests of Basic Skills.
- The proportion of students in care dropping out of school between the ages of 13 and 16 (15%) was more than double the average for other students.
- Students in care were 1.8 times more likely than other students to be old for their grade.

A Canadian study, based in Ontario,[8] compared the educational achievement of children in care with a comparative group. The study found that 41% of the 11-year-olds in the study had repeated a grade in school, as compared to 9% in the comparative group, and that 43% were receiving special education classes, as compared to 7% in the comparative group.

Data from a separate Canadian study[9] showed a trend for children and youth in care to lag behind the comparative group in grade level attainment as they became older. For instance, 8% of 10-year-olds were behind grade level, 54% of 18-year-olds were behind grade level and 86% of youth, 19 and 20 years of age, were behind grade level. No similar trend was found for children and youth who were not in care. When considering school disruption, i.e., unscheduled changes of school, as a factor, only 8% of children and youth in care had no school changes, as compared to 56% in the comparison group. Thirty percent of the children and youth in care who reported school disruptions experienced more than six changes (or number unknown).

A state-wide analysis of the educational attainment of foster youth in Washington's public school system[10] demonstrated that:

- Youth in foster care score, on average, 15 to 20 percentile points below non-foster youth in statewide achievement tests.
- 59% of youth in foster care, enrolled in Grade 11, complete high school. (The completion rate for non-foster youth is 86%.)

(7) Smithgall, C., Gladden, R., Howard, E., Goerge, R. and Courtney, M. Educational Experiences of Children in Out-of-Home Care. Available on the website of the Chapin Hall Center for Children at the University of Chicago, http:// www.chapinhall.org. Retrieved September 12, 2008.

(8) Flynn, R. and Biro, C. Comparing Developmental Outcomes for Children in Care with Those for Other Children in Canada. *Children and Society*, Vol. 12, No. 3, June 1998.

(9) Kufeldt, K., Simard, M. and Vachon, J. (Eds.). Looking After Children in Canada: Final Report. 2000. Available on the Muriel McQueen Fergusson Family Violence Centre pages of the University of New Brunswick website at http://www.unbf.ca/arts/CFVR. Retrieved September 15, 2008.

(10) Burley, M. and Halpern, M. Educational Attainment of Foster Youth: Achievement and Graduation Outcomes for Children in State Care. 2001. Available on the website of the Washington State Institute for Public Policy at http://www.wsipp.wa.gov. Retrieved September 15, 2008.

- Youth that enter foster care are likely to have lower test scores and graduation rates, even after statistically controlling for a variety of factors.
- Twice as many foster youth had repeated a grade, changed schools during the year or enrolled in special education programs, as compared with non-foster youth.

### Transition to Adulthood

A longitudinal study of youth aging out of foster care and transitioning to adulthood in Iowa, Wisconsin and Illinois[11] had these findings.

- Over one-third of the youth in the study sample had received neither a high school diploma nor a GED, compared to fewer than 10% of their same-age peers.
- 62% of the 19-year-olds in the national sample who were enrolled in school were enrolled in a four-year college, as compared to only 18% of the young adults in this study.

*"The study found that educational outcomes of young adults who remained under the care and supervision of the child welfare system were much better than those of young adults who had left care.... These findings suggest that allowing young adults to remain in care after the age of majority may afford them the opportunity to make up for some educational deficits associated with their maltreatment history and the school mobility that many of them experience while in care."*

The study found that educational outcomes of young adults who remained under the care and supervision of the child welfare system were much better than those of young adults who had left care. Those still in care were more than twice as likely to be enrolled in a school or training program as those who had been discharged. Young adults still in care who had a high school diploma or GED were over three times as likely as their counterparts no longer in care to be enrolled in a two- or four-year college. These findings suggest that allowing young adults to remain in care after the age of majority may afford them the opportunity to make up for some educational deficits associated with their maltreatment history and the school mobility that many of them experience while in care.

(11) Courtney, M., Dworsky, A., Cusick, G., Keller, T. Havlicek, J., Perez, A., Terao, S., and Bost, N. Midwest Evaluation of the Adult Functioning of Former Foster Youth. 2007. Available on the Chapin Hall Center for Children pages of the University of Chicago website at http://www.chapinhall.org. Retrieved September 15, 2008.

In a study to investigate the American high school and post high school experiences of a group of youth in foster care and a matched group of youth living with at least one parent,[12] Wendy Blome extrapolated that youth in care:

- were more than twice as likely (37% vs. 16%) to drop out of high school
- who dropped out of high school were less likely to receive a high school diploma or a GED (77% vs. 93%)
- were less likely to be enrolled in college preparatory classes (15% vs. 32%)
- were more likely to report they had been disciplined in school, suspended or had been in "serious trouble with the law"
- who graduated high school received significantly less financial assistance for education from their parents or guardians
- reported more educational disruptions due to changing schools.

A Canadian project[13] is following 37 former youth in care over a two and a half year period. In reporting on education levels, the report states "of the participants who were over 19 (n=17), 41% had a Grade 12 or higher level of education. This is substantially lower than the 2003 high school completion rates for youth living in the two regions involved in the study (71% for the large urban centre and 72% for the small urban centre.)"

Whatever their methodological shortcomings, this body of research paints a consistent and distressing picture of the educational attainment of youth in care across a broad spectrum of jurisdictions. To summarize, children and youth in care are:

- more likely to perform below grade level
- over-represented in special education and vocational classes
- more likely to be identified as having behavioural disorders, severe learning disabilities or mild intellectual disabilities
- less likely to complete high school
- less likely to be enrolled in college preparatory classes, even when they have similar test scores and grades to their peers
- significantly under-represented in post-secondary programs
- more likely to perform less well than their peers on standard tests
- more likely to fall behind their peers.

*"Whatever their methodological shortcomings, this body of research paints a consistent and distressing picture of the educational attainment of youth in care across a broad spectrum of jurisdictions."*

(12) Blome, Wendy. What Happens to Foster Kids: Educational Experiences of a Random Sample of Foster Care Youth and a Matched Group of Non-Foster Care Youth. *Child and Adolescent Social Work Journal*, Vol. 14, No. 1, February 1997.

(13) Rutman, D., Hubberstey, C., Barlow, A. and Brown, E. When Youth Age Out of Care – A Report on Baseline Findings. 2005. Available on the School of Social Work pages of the University of Victoria website at http://www.socialwork.uvic.ca. Retrieved September 15, 2008.

It is relatively safe to state, based on available information, that there is a significant gap between the educational attainment of children and youth in care and their peers in the general population.

### The Child Welfare System and the Children in its Care

Historically, the focus of child welfare systems was intervention aimed at protecting vulnerable children and youth from abuse and neglect in their family home. Today's child welfare systems have a greater responsibility – a responsibility to promote the successful development of the children and youth served as well as to ensure their survival and security. This shift requires a more proactive response than the reactive protection focus of previous decades. "Conscious attention to the fact that child welfare intervention has an impact, for good or ill, on the long-term outcomes for children and youth growing up in care"[14] is required.

*"It was not until the late 1980s and early 1990s that child welfare literature approached the issue of educational attainment for youth in care. The focus of these early articles was to point out that there had been a marked inattention, on the part of child welfare systems, to this aspect of service. Over time, concerns about educational performance of children and youth in care became a more common focus of research and writing but no corresponding increase in attention has impacted child welfare practice. This remains the single greatest impediment to improving educational outcomes for children and youth in care."*

It was not until the late 1980s and early 1990s that child welfare literature approached the issue of educational attainment for youth in care. The focus of these early articles was to point out that there had been a marked inattention, on the part of child welfare systems to this aspect of service. Over time, concerns about educational performance of children and youth in care became a more common focus of research and writing but no corresponding increase in attention has impacted child welfare practice. This remains the single greatest impediment to improving educational outcomes for children and youth in care.

(14) Kufeldt, K., Simard, M. and Vachon, J. (Eds.). Looking After Children in Canada: Final Report. 2000. Available on the Muriel McQueen Fergusson Family Violence Centre pages of the University of New Brunswick website at http://www.unbf.ca/arts/CFVR. Retrieved September 15, 2008.

The child welfare system has, in essence, assumed responsibility for parenting and raising the children and youth in its care to be capable, independent adults. As a result, the child welfare system must take an active interest in how well children and youth in care develop while in care and how well they do in relation to their peers once they leave care. Health, care and well-being become requisite aims of the child welfare delivery system, with an end goal of helping youth in care complete high school and successfully transition to independent adulthood.

To help ensure youth in care perform to their full capacity, these objectives must exist and function at the service level as well as in policy. The responsibility of promoting successful development of children and youth served falls to every level of the child welfare system.

Education is too seldom considered in placement planning and is infrequently identified as a goal in objectives set by caseworkers in case plans or in care provisions to and for children and youth in care. This gap leads to:

- confused roles. It is not clear amongst the various players who is to be the child's educational champion
- incomplete records. Child welfare case records often contain very little information about a child's educational history
- limited educational expectations. It is often argued that because children and youth in care struggle with overwhelming emotional issues, they cannot be expected to focus on schooling; this leads to inappropriately low educational expectations
- lack of stability. Multiple school interruptions and transfers adversely impact educational attainment
- lack of coordination between child welfare and educational systems. There is mutual criticism and an apparent lack of information sharing between educational authorities and intervention authorities.

*"Education is too seldom considered in placement planning and is infrequently identified as a goal in objectives set by caseworkers in case plans or in care provisions to and for children and youth in care."*

These factors contribute to the feeling among children and youth in care that no one is concerned about their education or that it is not a priority. When the caseworkers, caregivers and/or school environment are unsupportive or unprepared, these feelings are intensified and, in too many instances, lead to children and youth performing poorly in school or dropping out of school. Helping children and youth in care to be successful in school, reach graduation and potentially pursue post-secondary education will significantly impact the future economic, social and psychological well-being of our children and youth.

Several additional factors are associated with and flow out of the low priority assigned to educational concerns by child welfare systems. The first is the lack of clarity about who is responsible for what among the various players in the service system. Lines of responsibility and accountability for the educational outcomes of children and youth in care are unclear and no single person or agency is held accountable for educational achievement. There can be uncertainty about who is responsible for selecting the school, registering the youth and attending conferences and parent-teacher interviews. School staff often complain they do not know who is 'in charge' of children and youth in care and simple tasks, such as obtaining permission for field trips or extra-curricular activities, become complicated.

### OCYA Recommendations

Newly elected Premier Stelmach has set a mandate in a reporting letter to Honourable Gene Zwozdesky, Minister of Education, to "develop a strategy to improve high school completion rates." Provincial direction is clear, with respect to policy and outcome measures pertaining to education. This call on the part of the Premier holds significant promise that the barriers to educational success for children and youth in care will be addressed. All levels of the child welfare and education systems need to work together to achieve this mandate by addressing the challenges faced by youth in care working to complete their high school education.

> *"Newly elected Premier Stelmach has set a mandate... to "develop a strategy to improve high school completion rates."... This call on the part of the Premier holds significant promise that the barriers to educational success for children and youth in care will be addressed."*

The OCYA makes the following recommendations to improve educational success and increase high school completion rates for children and youth in care.

1. Increase attention to, and emphasis placed on, the educational success of youth in care as a prime responsibility of the child welfare system.
2. Set system-wide outcome goals for educational attainment and establish data-gathering processes to monitor achievements.
3. Create a requirement of caseworkers for youth under Permanent Guardianship or youth transitioning to independence, to assess their educational status – including accomplishments and needs – annually, and to address the results in an action plan.
4. Use the educational component of the *Looking after Children Action and Assessment Record – Canadian Edition* (or a similar resource) for children and youth under Permanent Guardianship or transitioning to adulthood.
5. Provide increased and extended support to youth transitioning to adulthood to specifically target improved educational achievement.
6. Listen to the voices of youth.
7. Clarify and develop the role of caregivers as educational champions.
8. Improve coordination between the child welfare and educational systems.

*Increase attention to, and emphasis placed on, the educational success of youth in care as a prime responsibility of the child welfare system.*

Nothing promotes success like promoting success. Every member of the service delivery system must consciously promote the educational success of children and youth in care. This principle should be formalized in policy and actively put into practice at the operational level. It should be included as a focus in Delegation Training for new caseworkers and in core competency training for foster parents and staff in residential resources. The ramifications of this refocusing would have far reaching implications, including:

- the use of educational requirements as a critical factor in placement decisions
- minimal school changes; e.g., maintain school placement when residential placement changes
- negligible disruption; e.g., plan necessary school changes at term breaks
- avoidance of scheduling treatment appointments and case conferences during school time.

*Set system-wide outcome goals for educational success and establish data-gathering processes to monitor achievements.*

A commitment to improving the educational outcomes for children and youth in care means defining what educational success is for this population, setting outcome goals with respect to achieving educational success, and establishing means to measure whether the goals are being met.

*Create a requirement of caseworkers for youth under Permanent Guardianship or youth transitioning to independence, to assess their educational status – including accomplishments and needs – annually, and to address the results in an action plan.*

Alberta's Advancing Futures bursary program[15] provides financial assistance to youth who have been in the care of Alberta Children's Services to achieve their educational goals. The program is primarily directed to assisting youth with post-secondary studies but may be used to help finance high school completion. The limitation of the Advancing Futures program is that it is a financial support service only, operating on the assumption that youth receiving the bursary have the personal stability and necessary social supports to pursue educational goals. Not always is this the case.

Annual educational assessment should focus on youth's capacity and needs, with respect to achieving educational goals. Where social supports are required, our view is that youth should be offered agreements that will keep their files open with Children's Services so they can get both the financial support they need to continue in school but also receive the personal supports that are assessed to be necessary. Where the assessment indicates the primary need to continue in school is financial, these youth will be well served through Advancing Futures.

(15) Information on the Advancing Futures bursary program is available on the website of what is now Alberta Children and Youth Services at http://child.alberta.ca/home/915.cfm. Retrieved August 24, 2008.

*Use the educational component of the* Looking after Children Action and Assessment Record – Canadian Edition *(or a similar resource) for children and youth under Permanent Guardianship or transitioning to adulthood.*

Use of an educational resource tool has the potential to improve children and youth's educational experiences. It directs caseworkers' attention to the importance of education and requires them to obtain detailed information about children and youth's educational performance. The process of completing the resource tool sends an important message to caregivers and youth that education matters and clarifies responsibilities for decision-making, accessing resources and day-to-day support.

*Provide increased and extended support to youth transitioning to adulthood to specifically target improved educational achievement.*

The Alberta Government's Youth in Transition Policy Framework provides direction and parameters for policy and program development for youth in transition, aged 13 to 24 and points out that youth are being helped and supported by their families longer. More than 30% of young adults between 18-25 years are still living at home.

Once the child welfare system becomes a 'corporate parent', it assumes responsibility and accountability to support and enhance developmental outcomes for youth that extend into successful transition to independent adulthood. There is a need to expose children and youth to career options and the post-secondary education paths that lead to them. Youth require ongoing emotional support and encouragement to make fundamental decisions about education and to deal with the challenges of acting on these decisions. The need for this support through older adolescence and into early adulthood may require a reappraisal of the current age limit (22 years) for receiving services from the Ministry.

*Listen to the voices of youth.*

Alberta youth in care have had some opportunity to impact government policies and procedures, through forums and focus groups, and have made a significant contribution to research initiatives but professionals are still learning how to listen to the concerns that youth raise and to take them forward to policy makers. The *Child, Youth and Family Enhancement Act* (2004) is intended to ensure that youth play a key role in decisions that impact their lives. Adults have a responsibility to advocate for youth and to give them a voice but youth can learn to effectively advocate for themselves. Youth in care who become skilled at voicing their concerns and ideas are better prepared to speak up for themselves when they leave the care system.

*Clarify and develop the role of caregivers as educational champions.*

It is critical that someone who has a personal relationship with the youth, e.g., a direct caregiver, take responsibility to emphasize the importance of educational endeavours and follow through with active expectations, support and encouragement.
The goal is to:

- promote the importance of education
- provide personal encouragement
- recognize accomplishments
- become directly involved in educationally-supportive tasks; e.g., reading to young children, helping with homework, securing tutorial support
- liaise with the school on behalf of the 'corporate parent'
- expect and support regular attendance
- provide appropriate study space and resources to do homework.

*Improve coordination between the child welfare and educational systems.*

There must be an active partnership between the two institutional systems that encourages and supports a shared interest in educational success for youth in care.
The partnership would:

- orient school staff to unique issues faced by the youth in care that could impact school performance; e.g., history of maltreatment, separation from family
- establish protocols about information sharing
- work with youth to determine what information the youth would like shared and obtain their input as to how that information about their status and personal needs should be handled within the school environment
- encourage teacher participation in the development of child welfare educational assessment and planning for specific children and youth.

# Appendices

## Appendix A:

**Advocacy as Practised by the Office of the Child and Youth Advocate**

There are two key assumptions that underlie the original development and the ongoing operation of the Office of the Child and Youth Advocate (OCYA).

- Children and youth have certain rights and interests, some generic and some pertaining to their status in the child welfare system, the operationalization of which may require specific supports focused specifically on the child.
- The empowerment of children and youth through promoting their active participation in the planning and decision-making process is a potent process that enhances both the quality of decision-making within the system and the healthy development of those young people served by the system.

With respect to the first point we acknowledge that that there are many people who may, and in fact do, effectively advocate for young people receiving services from the Intervention System. These include parents, caseworkers, caregivers, therapists, etc. However there are many situations in which such parties' ability or effectiveness in advocating for children is limited. For example, parents may be alienated from their children, or may have diminished capacity to effectively deal with formal institutional systems due to their own personal problems or disadvantaged situations. Caseworkers may be compromised in advocating for youth when as decision makers a best interest test leads them to make decisions which are strongly opposed by such youth.

Additionally, it is widely recognized that bureaucratic organizations, despite the best efforts of committed people within them, get diverted from the stated service aims of the institution.

The intervention/enhancement system is vested with far-reaching authority to impact the lives and experiences of the children it serves. It has the potential to make decisions that are far more intrusive and involve far greater curtailment of liberty than would be the case for parents in a normal family setting. The impact of a system with such potential authority can be to disempower children who by their nature and experiences already have diminished capacity to advance their own cause.

For all of these reasons it was felt important to provide a resource to children and youth receiving Intervention Services that focused exclusively on protecting their rights and interests and supporting their participation in the system.

## Role of the OCYA

The Office of the Child and Youth Advocate was originally established through an amendment to the Child Welfare Act (1989) and now continues under the *Child, Youth, and Family Enhancement Act*. The two primary responsibilities of the office are:

- to represent individual children and youth served under the *Child, Youth and Family Enhancement Act* and the *Protection of Children Involved in Prostitution Act* (case advocacy)
- to provide information and advice to the Minister and the Minister's staff with respect to the welfare and the interests of, and the provision of services to, the children and youth who receive services under the *Child, Youth and Family Enhancement Act* and the *Protection of Children Involved in Prostitution Act* (systemic advocacy).

The OCYA carries out the case advocacy function by protecting the rights and advancing the interests and viewpoints of young people receiving services. If an Advocate is involved with a youth who is able to provide instruction, a viewpoint focus will be taken. The Advocate will align him/herself with the youth and assist him/her to participate in the decision-making process toward the outcomes the youth has identified. Based on an essential understanding by all parties that the Advocate has no decision-making authority, the Advocate comes to the process as a partisan support for the youth. This is based on the underlying assumption that decisions will be better informed if made with active reference to the expressed views of the youth, and that the youth's supported participation can assist him or her to be heard by the bureaucracy which has the authority to make life shaping decisions on his or her behalf. Understanding the absence of decision making authority on the part of the Advocate, and understanding that the child's right to be heard is not tantamount to a right to decide, are critical in appreciating the Advocate's role.

If an Advocate is involved with a child who is unable to provide instruction, the Advocate will take an interest focus. The focus of advocacy will be to ensure all available information is considered in decision-making processes and that decisions take into account active reference to the young person's interests including those referenced in the "Matters to be considered" section of the *Child, Youth and Family Enhancement Act.*

Systemic advocacy work pools the experience gained from case advocacy activities in identifying and assessing issues and deficiencies in how youth experience services received, and communicating these to those responsible in the service delivery system for the refinement of policy and/or for enhancing the effectiveness of practice.

## Principles and Values

Within the OCYA the delivery of advocacy services is guided by a set of articulated principles and values. It is expected that these influence not only the structure and operation of the Office in general but also the activity and behavior of individual Advocates. These include the following:

- Empowerment – Advocacy has as a prime focus, the empowerment of the young person to speak for him/herself and to participate in planning and decision-making
- Child Focused Practice – The young person is the client of the Child and Youth Advocate. This requires compassion, respect and empathy for the young person's perspective
- Advocacy is a Shared Responsibility – The involvement and assumption of responsibility by the community are key considerations. The goal is to involve, empower and support, rather than to replace or supplant natural advocates
- Eschewing Authority – An Advocate's effectiveness depends on the quality and cogency of facts, upon persuasion, and upon access to progress of levels of individual decision makers and decision-making processes rather than the authority to dictate outcomes. This implies sharing of information, the encouragement of and respect for diversity of opinion, and the absence of a win-lose view of problem solving
- Informality – An informal, non-intrusive style is key to effective advocacy. Informally negotiated, collaborative strategies, at the organizational level closest to the child, are the preferred approaches to problem resolution; not formal or adversarial processes. However the Advocate's obligation to the young person may require strategies which involve progressively higher levels of organizational authority or which resort to more formal mechanisms such as courts or appeal panels
- Holistic Perspective – Decision-making about the life of an individual can benefit from a variety of perspectives, disciplines, and values that consider the whole person in his/her environment.

## Appendix B:

***Child, Youth and Family Enhancement Act* – Office of Child and Youth Advocate**

This excerpt from the Act describes the structure and duties of the OCYA.

3(1) The Lieutenant Governor in Council may, on the recommendation of the Minister, appoint a Child and Youth Advocate, who shall hold office for a term not exceeding 5 years.

(2) The Minister may authorize and provide for the payment of the remuneration and expenses of the Child and Youth Advocate and for the office and staff of the Child and Youth Advocate.

(3) The Child and Youth Advocate shall

(a) advise the Minister on matters relating to the welfare and interests of children who receive services under this Act or the *Protection of Children Involved in Prostitution Act* and the provision of those services;

(b) receive and review complaints or concerns that come to the attention of the Child and Youth Advocate respecting children who receive services under this Act or the *Protection of Children Involved in Prostitution Act*;

(c) represent the rights, interests and viewpoints of children who receive services under this Act or the *Protection of Children Involved in Prostitution Act*;

(d) facilitate the involvement of family or community members in assisting in advocating for a child who is receiving services under this Act or the *Protection of Children Involved in Prostitution Act*;

(e) perform additional duties and functions that are conferred on the Child and Youth Advocate by the regulations or that are from time to time assigned to the Child and Youth Advocate by the Minister;

(f) submit a report to the Minister every 3 months on the Child and Youth Advocate's activities and observations;

(g) prepare and submit annual reports to the Minister respecting the exercise of the duties and functions of the Child and Youth Advocate.

(4) On receiving a report under subsection (3)(g), the Minister shall lay a copy of the report before the Legislative Assembly if it is then sitting, and if not, within 15 days after the commencement of the next sitting.

(5) For the purpose of performing the duties and functions of the Child and Youth Advocate, the Child and Youth Advocate may

(a) communicate with and visit a child who is receiving services under this Act or the *Protection of Children Involved in Prostitution Act* or a guardian or other person who represents the child;

(b) have access to information relating to a child that is in the possession of a director under this Act or under the *Protection of Children Involved in Prostitution Act* or other person or agency providing services to a child on behalf of a director under this Act or under the *Protection of Children Involved in Prostitution Act*;

(c) at the request of a child who is receiving services under this Act or the *Protection of Children Involved in Prostitution Act*, the Minister or any person acting on the child's behalf, review and make recommendations regarding any matter relating to the provision of services to the child under this Act or the *Protection of Children Involved in Prostitution Act*;

(d) provide information relating to, speak on behalf of and otherwise represent a child who is receiving services under this Act or the *Protection of Children Involved in Prostitution Act* when major decisions relating to the child are being made under this Act or the *Protection of Children Involved in Prostitution Act*;

(e) on the initiative of the Child and Youth Advocate or at the request of a child who is receiving services under this Act or the *Protection of Children Involved in Prostitution Act*, assist in appealing or reviewing a decision of a director relating to the child;

(f) provide assistance and advice to an Appeal Panel or a Court with respect to a child who is receiving services under this Act or the *Protection of Children Involved in Prostitution Act*.

(6) The Child and Youth Advocate may delegate any duty or function conferred or imposed on the Child and Youth Advocate under this Act, the *Protection of Children Involved in Prostitution Act* or the regulations under either Act in respect of a child

(a) to a person employed or engaged in the administration of this Act or the *Protection of Children Involved in Prostitution Act*,

(b) to a person who provides care to the child, represents the child or is concerned about the welfare of the child, or

(c) to a family or community member referred to in subsection (3)(d) who is assisting in advocating for the child.

RSA 2000 cC-12 s3;2003 c16 s6;2004 c16 s3

## Appendix C:

***Child, Youth and Family Enhancement Act*** **– Matters to be considered**

This excerpt from the Act describes the philosophical and value framework to be applied when any decision is made in relation to children who are considered to be in need of protection. It is important in that it not only sets out the overriding "best interest test" but also provides more specific considerations to help guide decision-making.

2 If a child is in need of intervention, a Court, an Appeal Panel and all persons who exercise any authority or make any decision under this Act relating to the child must do so in the best interest of the child and must consider the following as well as any other relevant matter:

(a) the family is the basic unit of society and its well-being should be supported and preserved;

(b) the importance of stable, permanent and nurturing relationships for the child;

(c) the intervention services needed by the child should be provided in a manner that ensures the least disruption to the child;

(d) a child who is capable of forming an opinion is entitled to an opportunity to express that opinion on matters affecting the child, and the child's opinion should be considered by those making decisions that affect the child;

(e) the family is responsible for the care, supervision and maintenance of its children and every child should have an opportunity to be a wanted and valued member of a family, and to that end

(i) if intervention services are necessary to assist the child's family in providing for the care of a child, those services should be provided to the family, insofar as it is reasonably practicable, in a manner that supports the family unit and prevents the need to remove the child from the family, and

(ii) a child should be removed from the child's family only when other less disruptive measures are not sufficient to protect the survival, security or development of the child;

(f) subject to clauses (e) and (g), if a child has been exposed to domestic violence within the child's family, intervention services should be provided to the family in a manner that supports the abused family members and prevents the need to remove the child from the custody of an abused family member;

(g) any decision concerning the removal of a child from the child's family should take into account the risk to the child if the child remains with the family, is removed from the family or is returned to the family;

(h) if it is not inconsistent with protecting the survival, security or development of a child who is in need of intervention, and appropriate community services are available, the child or the child's family should be referred to the community for services to support and preserve the family and to prevent the need for any other intervention under this Act;

(i) any decision concerning the placement of a child outside the child's family should take into account

(i) the benefits to the child of a placement within the child's extended family;

(ii) the benefits to the child of a placement within or as close as possible to the child's home community,

(iii) the benefits to the child of a placement that respects the child's familial, cultural, social and religious heritage,

(iv) the benefits to the child of stability and continuity of care and relationships,

(v) the mental, emotional and physical needs of the child and the child's mental, emotional and physical stage of development, and

(vi) whether the proposed placement is suitable for the child;

(j) the provision of intervention services is intended to remedy or alleviate the condition that caused the child to be in need of intervention;

(k) intervention services are most effective when they are provided through a collaborative and multi-disciplinary approach;

(l) if a child is being provided with care under this Act, the child should be provided with a level of care that is adequate to meet the needs of the child and consistent with community standards and available resources;

(m) if a child is being provided with care under this Act, a plan for the care of that child should be developed that

(i) addresses the child's need for stability, permanence and continuity of care and relationships, and

(ii) in the case of a youth, addresses the youth's need for preparation for the transition to independence and adulthood;

(n) a person who assumes responsibility for the care of a child under this Act should endeavour to make the child aware of the child's familial, cultural, social and religious heritage;

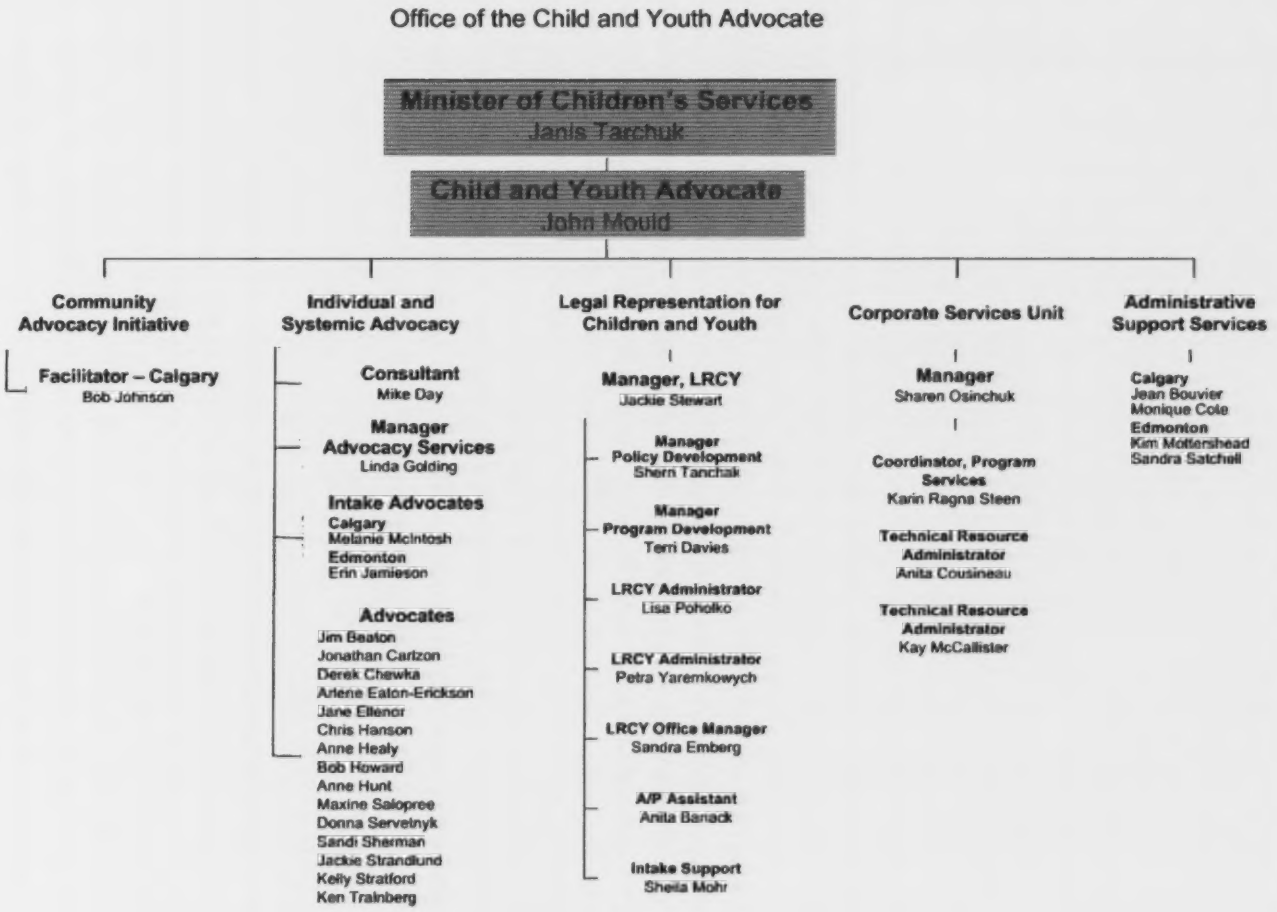
(o) there should be no unreasonable delay in making or implementing a decision affecting a child;

(p) if the child is an aboriginal child, the uniqueness of aboriginal culture, heritage, spirituality and traditions should be respected and consideration should be given to the importance of preserving the child's cultural identity.

RSA 2000 cC-12 s2;2003 c16 s4

## Appendix D:

Organizational Chart 2006-2007



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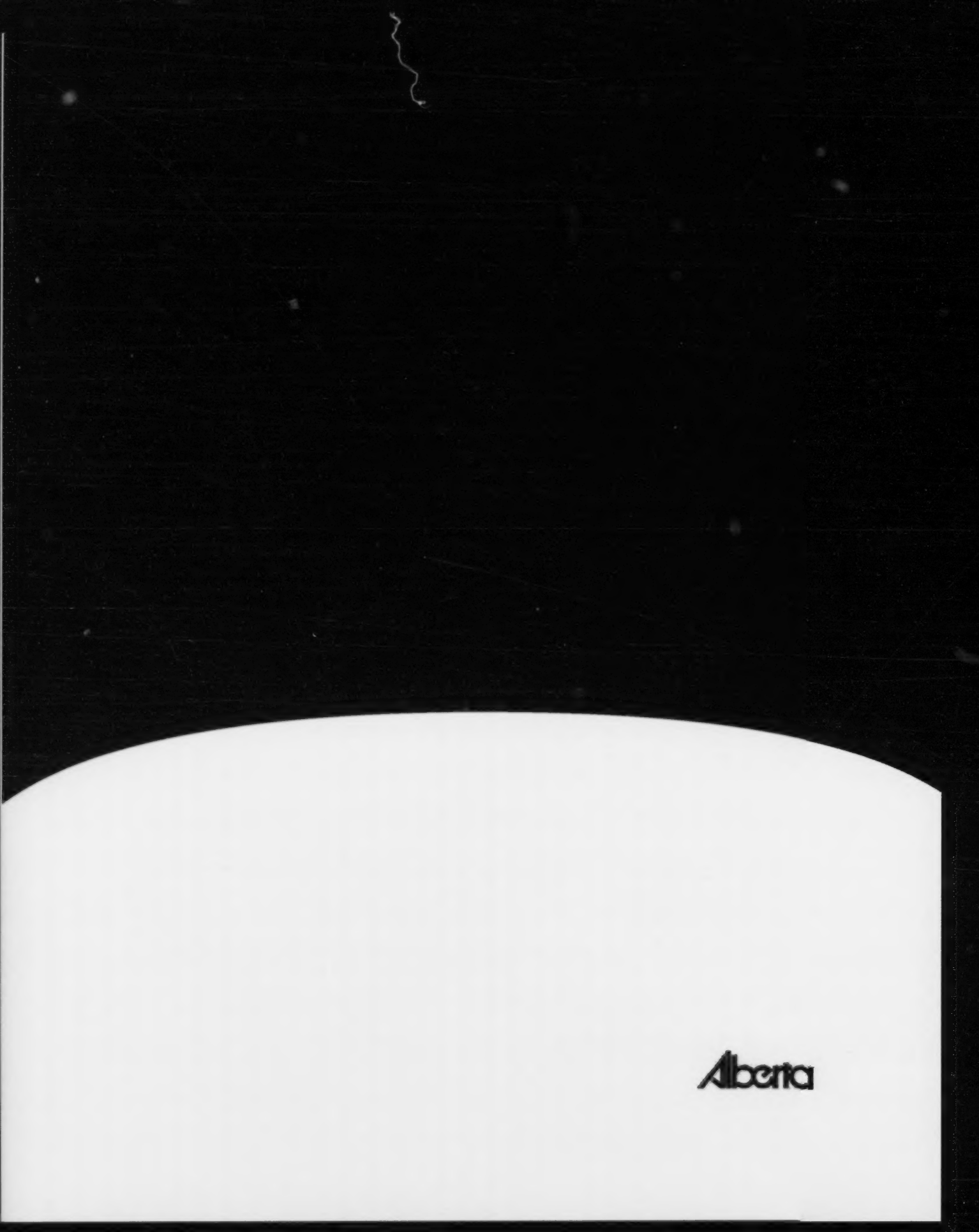
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